

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a follow-up telephone discussion with John M. Bird, Attorney of Record, Reg. No. 46,027 on 8 May 2009 (as a follow-up to a telephone interview held on 4 May 2009).

The application has been amended as follows:

With respect to **claim 10**, at lines 9-12, **delete** the entire paragraph that starts with "block marking line determination section".

On line 15, **delete** the word "and" at the end of the line.

Before the paragraph at line 16 starting with "lane boundary position defining section", **add** the following paragraph:

—block marking line determination section for determining presence and absence of a block-like marking line on the basis of periodicity of distribution and a combination of distributions of plus edges and minus edges in both the vertical edge histogram produced by said vertical edge histogram producing section and the horizontal edge histogram produced by said horizontal edge histogram producing section; and—

***Response to Amendment***

2. The amendment filed by Applicant on 2 April 2009 has been entered in full.

***Response to Arguments***

3. In accordance with the amendment made by Applicant and the Examiner's Amendment made above, Applicant's arguments have been fully considered and are persuasive. Accordingly, the pending rejections and objections in the application are withdrawn.

4. With regard to claims 1, 2, 4, 5, and 10-13, Examiner construes the claims such that various sections recited in the claims are each implemented either as hardware or as hardware and software in combination. Support for this construction is found in Figure 2, showing the sections as being part of an image processing section which communicates in part via data bus and address bus, and the description of Figure 2 indicating the figure as being a "block diagram showing... hardware".

5. Furthermore, with regard to claims 1, 2, 4, 5, and 10-13, Examiner construes the claims such that the various "section[s] for..." recited in the claims do not invoke 35 U.S.C. 112, sixth paragraph. The limitation of "image pickup means for..." in each of claims 1 and 10 does invoke 35 U.S.C. 112, sixth paragraph.

***Allowable Subject Matter***

6. Claims 1, 2, 4, 5, and 10-13 are allowed.

7. The following is an examiner's statement of reasons for allowance:

With respect to claim 1, the prior art of record does not disclose or teach that "said lane boundary edge detection section detects the edges of the lane boundary in an interval between neighboring block lines, on the basis of such a relationship that a vertical region between a peak of a plus edge histogram and a peak of a minus edge histogram corresponds to the interval between neighboring block lines, in said vertical edge histogram produced by said edge histogram producing section", nor would this have been obvious to one of ordinary skill in the art at the time of invention in view of the prior art of record.

With respect to claim 10, the prior art of record does not disclose or teach a "block marking line determination section for determining presence and absence of a block-like marking line on the basis of periodicity of distribution and a combination of distributions of plus edges and minus edges in both the vertical edge histogram produced by said vertical edge histogram producing section and the horizontal edge histogram produced by said horizontal edge histogram producing section", nor would this have been obvious to one of ordinary skill in the art at the time of invention in view of the prior art of record.

With respect to claims 2, 4, 5, and 11-13, each of these claims is allowable by virtue of their dependence upon an allowable independent claim.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barry Drennan whose telephone number is 571-270-7262. The examiner can normally be reached on Monday through Thursday, 9am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Werner can be reached on 571-272-7401. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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